

COPY

**DECLARATION AND POWER
OF ATTORNEY FOR UTILITY
OR DESIGN**

PATENT APPLICATION

☒ Declaration ☐ Declaration
Submitted with Submitted after Initial
Initial Filing Filing (surcharge
37 CFR 1.16(e) required)

Attorney Docket No. CPC-006 (1419/6)

First Named Inventor Biondi et al.

COMPLETE IF KNOWN

Application Serial Number Not yet assigned

Filing Date Herewith

Group Art Unit Not yet assigned

Examiner Name Not yet assigned

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A SYSTEM FOR AUTOMATICALLY WEANING A PATIENT FROM A VENTILATOR, AND METHOD THEREOF

(Title of the Invention)

the specification of which

☒ is attached hereto
OR

☐ was filed on [] as United States Application Serial Number or PCT International
(MM/DD/YYYY)

Application Number [] and was amended on (MM/DD/YYYY) [] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose to the Patent Office all information known by me to be material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Serial Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.

DECLARATION – Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Serial Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/660,820	9/13/00	
09/045,461	3/20/98	6,158,432
08/569,919	12/8/95	5,931,160

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number → Place Customer
Number Bar Code
Label Here

OR

☒ Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
Michael J. Bastian	P-47,411	Kurt W. Lockwood	40,704
Steven M. Bauer	31,481	Thomas C. Meyers	36,989
Elias C. Behrakis	P-47,416	Joseph B. Milstein	42,897
John V. Bianco	36,748	David G. Miranda	42,898
Isabelle A.S. Blundell	43,321	Ronda P. Moore	44,244
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John V. Forcier	42,545	Christopher W. Stamos	35,370
Steven J. Frank	33,497	Diana M. Steel	43,153
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Brian M. Gaff	44,691	Robert J. Tosti	35,393
Michael J. Giannetta	42,574	Thomas A. Turano	35,722
Duncan A. Greenhalgh	38,678	Michael J. Twomey	38,349
William G. Guerin	41,047	Christine C. Vito	39,061
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Danielle L. Herritt	43,670	Gerald E. Worth	45,238
Douglas J. Kline	35,574	Yin P. Zhang	44,372
John D. Lanza	40,060		

☐ Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.

Direct all correspondence to:

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Testa, Hurwitz & Thibault, LLP
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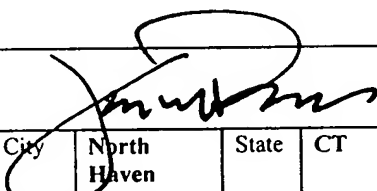
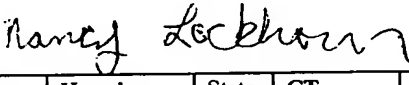

Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.

Atty. Docket No. CPC-006

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor								
Given Name (first and middle [if any])					Family Name or Surname					
James W.					Biondi					
Inventor's Signature							Date		1/17/01	
Residence	City	North Haven	State	CT	Country	USA	Citizenship	USA		
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<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) attached hereto.										
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor								
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Nancy					Lockhorn					
Inventor's Signature							Date		1-17-01	
Residence	City	Hamden	State	CT	Country	USA	Citizenship	USA		
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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor								
Given Name (first and middle [if any])					Family Name or Surname					
Robert					Reynolds					
Inventor's Signature							Date		1/17/01	
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Rmoore1419/6.2000595-1

 1/17/01
Notary Public

My Commission Exp. Aug. 31, 2005



PATENT
Attorney Docket No. CPC-006CN2
(1419/6)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Biondi et al.
SERIAL NO.: 10/716,896 GROUP NO.: 3743
FILING DATE: November 17, 2003 EXAMINER: Not Yet Assigned
TITLE: A System for Automatically Weaning a Patient from a Ventilator, and
Method Thereof

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PATENT PRACTITIONERS OF RECORD UNDER 37 C.F.R. § 1.32(c)(3)

Sir:

Under 37 C.F.R. § 1.32(c)(3), the following patent practitioners listed on the concurrently submitted Declaration and Power of Attorney for Utility or Design Patent Application should be recognized by the U.S. Patent and Trademark Office as being of record in the above-identified patent application to which the power of attorney is directed.

1.	Michael H. Brodowski	Registration No.	41,640
2.	John V. Forcier	Registration No.	42,545
3.	Steven J. Frank	Registration No.	33,497
4.	Duncan A. Greenhalgh	Registration No.	38,678
5.	Ira V. Heffan	Registration No.	41,059
6.	Ronda P. Moore	Registration No.	44,244
7.	Christopher W. Stamos	Registration No.	35,370
8.	Robert J. Tosti	Registration No.	35,393
9.	Thomas A. Turano	Registration No.	35,722
10.	Christine C. Vito	Registration No.	39,061

The Patent Office is requested to contact the undersigned with any questions.

Respectfully submitted,

Date: August 17, 2004
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